

Notice of Allowability	Application No.	Applicant(s)	
	10/657,172	HORITA, SATORU	
	Examiner	Art Unit	
	CHRISTOPHER K. PETERSON	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to 8/13/2009.
2. The allowed claim(s) is/are 1-4, 8, 10, 12-16, 21, 22, 25 and 26.
3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application
6. Interview Summary (PTO-413),
Paper No./Mail Date 20091007.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/13/2009 has been entered.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with William Pieprz on 10/7/2009.

The application has been amended as follows:

14. (Currently Amended) A filter processing method for filtering original image data, the original image data having original luminance data and color difference data, the method comprising:

generating first luminance data and second luminance data such that the original luminance data is separated into the first luminance data and the second luminance data according to a predetermined ratio, performing a first gamma correction on the original image data utilizing a first gamma curve so as to generate the first luminance data and performing a second gamma correction on the original image data using a second gamma curve so as to generate the second luminance data, the second gamma curve being different from the first gamma curve~

wherein said second gamma curve is selected from a stepwise series of predetermined resolutions, and

wherein said first gamma curve has a zero offset, and said second gamma curve has a non-zero offset;

low-pass filtering the second luminance data so as to transform the second luminance data into third luminance data without low-pass filtering of the first luminance data and the color difference data; and

synthesizing, by a processor, the first luminance data, the color difference data, and the third luminance data into synthesized image data, without synthesizing filtered color difference data,

wherein the third luminance data defines a blurred luminance image and the synthesized image data comprises a soft focus image in which the color balance of the original image data is preserved, and

wherein said second gamma curve is changed so as to change the extent of the soft focus of said soft focus image.

Allowable Subject Matter

2. Claims 1 - 4, 8, 10, 12 - 16, 21, 22, 25, and 26 are allowed.
3. The following is an examiner's statement of reasons for allowance:

As to independent claim 1, the prior art does not teach or fairly suggest a filter which filters original image data, said original image data having original luminance data and color difference data, comprising: a generating processor that generates first luminance data and second luminance data such that said original luminance data is separated into said first luminance data and said second luminance data according to a predetermined ratio, wherein said original image data undergoes a gamma correction using a first gamma curve so as to generate said first luminance data, and said original image data undergoes a second gamma correction using a second gamma curve so as to generate said second luminance data, said second gamma curve being different from said first gamma curve, wherein said second gamma curve is selected from a stepwise series of predetermined resolutions, and wherein said first gamma curve has a zero offset, and said second gamma curve has a non-zero offset; a filtering processor that filters said second luminance data by a low-pass filter so as to transform said second luminance data into third luminance data while the first luminance data and the color difference data are not low-pass filtered; and a synthesizing processor that synthesizes said first luminance data, said color difference data, and said third luminance data into synthesized image data, without synthesizing filtered color difference data, wherein the third luminance data defines a blurred luminance image and the synthesized image data

comprises a soft focus image in which the color balance of the original image data is preserved, and wherein said second gamma curve is changed so as to change the extent of the soft focus of said soft focus image

The reason for allowance of independent claims 13 and 14 are similar as it includes limitations similar to those of claim 1.

As to claims 2 - 4, 8, 10, 12, 15, 16, 21, 22, 25, and 26, these claims are dependent upon allowable claims 1, 13, and 14 and are thus also considered allowable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTOPHER K. PETERSON whose telephone number is (571)270-1704. The examiner can normally be reached on Monday - Friday 6:30 - 4:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Sinh can be reached on 571-272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. K. P./
Examiner, Art Unit 2622
10/7/2009

/Sinh Tran/
Supervisory Patent Examiner, Art Unit 2622